

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

WLODZIMIERZ J. DZWONCZYK,

Plaintiff,

Civil Action No.
5:08-CV-557 (NPM/DEP)

vs.

SYRACUSE CITY POLICE DEPT., *et al.*,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

WLODZIMIERZ DZWONCZYK, *Pro Se*
UL. CMENTARNA 7a/2
59-500 ZLOTORYJA
POLAND

FOR DEFENDANTS:

CITY OF SYRACUSE CORPORATION RORY McMAHON, ESQ.
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PAUL F. MURAK, ESQ.

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10th Floor
Syracuse, NY 13202

KAREN ANN BLESKOSKI, ESQ.

DAVID E. PEEBLES
U.S. MAGISTRATE JUDGE

ORDER

The court is in receipt of a letter dated July 17, 2009 from plaintiff Wlodzimierz Dzwonczyk and addressed to Chief District Judge Norman A. Mordue, Senior District Judge Neal P. McCurn, and myself. The letter, although labeled as a "complaint", requests certain relief in connection with this action including, *inter alia*, that the court rescind two prior orders issued in the case, one by me on October 23, 2008 (Dkt. No. 43) and the other by Chief Judge Mordue on November 13, 2008 (Dkt. No. 69), and that this matter be "transferred" to Binghamton, New York.

This action is and remains closed until such time as plaintiff requests that it be reopened and certifies to the court that he is fully able to participate in the litigation process, including by attending required in-person court appearances. Accordingly, plaintiff's letter will be filed and docketed, but no action will be taken by the court concerning it until such

time as the action is reopened.

Plaintiff is advised that if it was his intention to commence a separate suit asserting legal claims against Clerk Court Lawrence Baerman and/or other members of his staff, then in that event he must submit a formal written complaint in compliance with the requirements of Rules 8 and 10 of the Federal Rules of Civil Procedure, accompanied by either the statutory filing fee of \$350 or an application for leave to proceed *in forma pauperis*, naming the individual staff members against whom his complaint is made and setting forth the legal basis upon which his claims are asserted.

The clerk is directed to file and docket plaintiff's letter dated July 17, 2009.

It is hereby SO ORDERED.



David E. Peebles
U.S. Magistrate Judge

Dated: July 31, 2009
Syracuse, New York